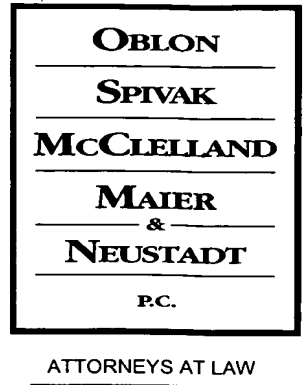




Docket No.: 251697US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/820,714
Applicants: Mitsuyoshi OKUDA, et al.
Filing Date: April 9, 2004
For: ALKALINE PROTEASE
Group Art Unit: 1656
Examiner: Clark

SIR:

Attached hereto for filing are the following papers:

Election and Response to Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Thomas M. Cunningham

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DOCKET NO: 251697US0



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MITSUYOSHI OKUDA, ET AL. : EXAMINER: CLARK
SERIAL NO: 10/820,714 :
FILED: APRIL 9, 2004 : GROUP ART UNIT: 1656
FOR: ALKALINE PROTEASE :

ELECTION AND RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed December 9, 2005, the Applicants elect with traverse, **Group I**, Claims 1 and 2.

The traverse is on the grounds that the claims of Groups I and III embrace the same subject matter, namely, mutant alkaline proteases and product and composition claims comprising the same products should be examined together.

Secondly, the Applicants respectfully submit that the claims of Groups I, II and III could be examined together without imposing an undue burden on the Examiner. For example, even though polypeptides and nucleic acids have different structures, the genetic code provides an easy way to make corresponding searches of polypeptide and nucleic acid sequences of Groups I and II, respectively.

Application No. 10/820,714

Reply to Office Action of December 9, 2005

Accordingly, the Applicants respectfully request that the Restriction Requirement be withdrawn, especially for the claims of Groups I and III, and that all of the claims be examined at one time.

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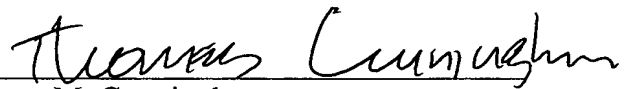
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,

MAIER & NEUSTADT, P.C.

Norman F. Oblon



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